

E. J. Simmons, OSB 75341
ejs@SimmonsTrialPractice.com
621 SW Morrison, Ste. 1300
Portland OR 97205
(503) 221-2000
Facsimile (971) 223-4733

Bradley Ganz
mail@ganzlaw.com
Ganz Law PC
PO Box 2200
163 SE 2nd Avenue
Hillsboro, OR 97124
(503) 844-9009

Attorneys for Plaintiffs
Passages Silver Strand, LLC and
Grasshopper House, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Grasshopper House, LLC, a California
limited liability company doing business as
Passages Malibu, **Passages Silver Strand,**
LLC, a California limited liability company,

Plaintiffs,
vs.

Accelerated Recovery Centers, LLC, a
Georgia limited liability company,
Renaissance Malibu Foundation, a
California non-profit corporation, and
Baldwin Research Institute, Inc., a
New York non-profit corporation,

Defendants.

Civil Case No.: 3:09-CV-778-HA

**Plaintiffs' Motion and
Application for an Order of
Default against defendant
Renaissance Malibu Foundation**

In accordance with Local Rule 7.1(a), the undersigned counsel of record for plaintiffs hereby certifies that he has been unable to confer with defendant Renaissance Malibu Foundation because:

- (a) No communication has been received from said defendant, and the undersigned is not aware of any attorney representing said defendant.
- (b) The agent for service of process for said defendant is "LEGALZOOM.COM, INC." I called LegalZoom.com and left a message to call me, but have not heard back.
- (c) Local Rule 55.1 requires that I make a good faith effort to confer before a motion or request for default is filed when the party in default "has filed an appearance in the action, or has provided written notice of intent to file an appearance". However, I have not received any appearance or notice of intent to file an appearance.

Plaintiffs hereby apply to the Court and move the Court for an Order of Default under F.R.Civ.P. 55 against defendant Renaissance Malibu Foundation, for failure to timely file its appearance.

Signed October 2, 2009.

s/ E. J. Simmons

E. J. Simmons, OSB 75341
(503) 221-2000
Bradley Ganz, OSB 94076
(503) 844-9009
Attorneys for Plaintiffs Grasshopper House, LLC
and Passages Silver Strand, LLC